

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)

Petition for Declaratory Ruling that AT&T's)
Phone-to-Phone IP Telephony Services Are)
Exempt from Access Charges)

WC Docket No. 02-361

MOTION FOR EXTENSION OF TIME

Pursuant to Section 1.46 of the Commission's rules, 47 C.F.R. § 1.46,

The Competitive Telecommunications Association ("CompTel") files this Motion requesting the Commission to extend the period for all interested parties to file reply comments in the above-captioned proceeding from January 7, 2003 to January 24, 2003. CompTel submits that this brief extension of time would permit more substantive and complete responses on the new and complex issues raised in this proceeding. Further, this modest extension would not prejudice any interested parties.

AT&T filed a Petition for Declaratory Ruling on October 18, 2002 asking the Commission to declare that its phone-to-phone IP telephony services are exempt from access charges. The Commission issued its Public Notice (DA 02-3184) on November 18, 2002 establishing a pleading cycle on the Petition. The Public Notice requires that comments be filed by December 18, 2002, and reply comments by January 7, 2003.

The reply comment schedule established by the Commission coincides with the upcoming holiday season. Consequently, those personnel with the expertise necessary to

fully address the complex issues certain to be raised in the comments will be on scheduled leave and hence unavailable. This is no doubt true not only for CompTel, and its member companies, but also for other parties that may wish to file reply comments. Particularly in light of the large volume of comments that this new and contested issue is likely to generate, the time period between December 18 and January 7 is inadequate to permit CompTel, its members, and others to provide the Commission with a full, informed reply. A brief extension of time until January 24, 2003 would greatly facilitate the development of a complete record for the Commission's review.

No prejudice to any party would result from this modest extension. The parties wishing to file comments on AT&T's Petition have an extended, 60-day period in which to review and comment upon these proceedings, as they have had access to AT&T's Petition since it was filed on October 18, 2002. The brief period from December 18 to January 7 currently allotted for reply comments is, as a practical matter, greatly reduced by the intervening holidays. The Commission has previously granted requests for extensions in similar circumstances. *See, e.g., Performance Measurements and Standards for Interstate Special Access Services*, Order, 16 FCC Rcd. 22,117 (2001); *Performance Measurements and Standards for Unbundled Network Elements and Interconnection*, Order, 16 FCC Rcd. 21,428 (2001). CompTel respectfully submits that in this proceeding as well, grant of the additional time requested would allow all interested parties a meaningful opportunity to respond to issues raised in the comments, and would assist the Commission in reaching its decision based on a complete record.

For all of these reasons, CompTel respectfully requests that the Commission grant its motion for an extension of time until January 24, 2003 to file reply comments in this proceeding.

Respectfully submitted,

A handwritten signature in cursive script, reading "Jonathan D. Lee".

Jonathan D. Lee
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November 25, 2002

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of November, 2002, I caused true and correct copies of the forgoing Motion for Extension of Time to be served on parties listed below by electronic filing.

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554



Jonathan D. Lee